

**MEETING OF NORTH HORSHAM PARISH COUNCIL
TO BE HELD ON THURSDAY 25th JUNE 2009 AT 7.30PM,
AT ROFFEY MILLENNIUM HALL**

CLERK'S REPORT

1. PUBLIC FORUM

Members of the public are invited to put questions or draw relevant matters to the Council's attention, prior to the commencement of business. This is for a period of up to 15 minutes and shall be limited to 3 minutes per person.

2. TO NOTE APOLOGIES FOR ABSENCE

Apologies for absence have been received from Cllr Peter Burgess who is attending another meeting on behalf of the Parish Council (Special Meeting of the Horsham District Community Partnership).

3. COUNCIL MINUTES

To approve and sign the Open Minutes of the Meeting of North Horsham Parish Council held on Thursday 14th May 2009. (Minutes previously circulated). Please advise as soon as possible (i.e. over the weekend or during office hours on Monday or Tuesday) either the Council Chairman or the Clerk if there are any amendments that need to be raised, preferably with proposed amendments clearly written.

4. CHAIRMAN'S ANNOUNCEMENTS – for information and noting only

There is one item as follows:

Council Christmas Meal – It has been suggested that a Christmas meal is organised to include councillor, staff and partners – about 60 if all come. It would be on the basis of buying tickets (i.e. no cost to the Council) and at this stage held at Roffey Millennium Hall using outside caterers. The need for a 'temporary event notice', for alcohol, is being investigated.

Members are asked if they agree in principle so the appropriate arrangements can be made.

5. DECLARATIONS OF INTEREST

5.1 Members are advised to consider the agenda for the meeting and determine in advance if they may have personal or personal & prejudicial interests in any agenda item. If a Member decides they do have a declarable interest, they are reminded that the interest and the nature of the interest must be declared now and again at the outset of the relevant item. Details of the interest must be minuted.

5.2 If the interest is 'prejudicial', Members are reminded that they must take no part in the item at all and must leave the room until any discussion and decisions are concluded. However, you are permitted to speak under the Public Forum Item with the same limitations as the rest of the public – i.e. 3 minutes.

6. QUESTIONS PURSUANT TO STANDING ORDER NO. 24

- 6.1 Members are reminded that any question put under this Standing Order should preferably be notified in sufficient time before the meeting. This allows time for a considered response to be prepared. The question should relate to the business of the council.
- 6.2 Members are reminded that under Standing Order No. 27, that a person to whom the question is put, may decline to answer. Standing Order no. 26 stipulates that every question shall be put and answered without discussion.

7. COMMITTEE MINUTES – To receive and adopt the minutes of the following Committees:

- (a) Planning, Environment & Transport Committee – 21st May & 18th June 2009 (David Searle in the absence of Peter Burgess)
- (b) Property Committee – 4th June 2009 (Pat Rutherford)

8. Receive the NOTES OF THE ROFFEY COMMUNITY GROUP of 08.06.09 and consider any REQUESTS

- 8.1 There are no requests contained within the Notes.

8.2 RECOMMENDATION:

Members are asked to note the report.

9. CASUAL COUNCILLOR VACANCY: Holbrook East

- 9.1 The advert appeared in the local paper on 29th May and the expiry date is Friday 19th June for the public to claim a Bye-Election. An oral update will be given at the Meeting.

9.2 RECOMMENDATION:

Members are asked to note the report.

10. NOTIFICATION PROCEDURES FOR COMPLAINTS AGAINST COUNCILLORS

- 10.1 A report was considered in March 2009 by Council for an amendment to Standing Orders to incorporate their own internal procedure to follow when the Council is advised of a complaint against a Member under the Code of Conduct. It was agreed that further research be undertaken and if required prepare a draft amendment for approval.
- 10.2 Subsequently, the matter was discussed in early May by Horsham Clerks with the then Monitoring Officer of the District Council. His view was that it should not be necessary to amend Standing Orders, but if parish councils wished to use internal guidance notes these could be dealt with as a Council Policy. The District Council does not need to see a copy of any procedures adopted by a Parish Council. It was reiterated that the District Council's Standards Committee has it's own procedure which is very effective and this is summarised as follows:

- (a) On receipt of a valid complaint against a councillor this is taken to the Local Assessment Sub-Committee (of HDC Standards Committee). The purpose of the assessment is to determine whether or not, based on the

information supplied by the complainant, there *appears* to be an answerable or *prima facie* breach of the Code. No investigation or hearings are undertaken at this stage.

- (b) If it is determined that there is no answerable case no further action is taken.
- (c) If there is an answerable case then it can be decided to take no further action or refer the complaint to the Monitoring Officer for investigation or other action or the Standards Board for England. The Sub Committee can ask for further information to enable it to reach a decision. A referral does not mean that the Sub Committee has made up its mind up about a complaint.
- (d) **Openness** – The complainant’s personal details and the details of the complaint remain confidential to the Sub Committee and the Monitoring Officer until after the complaint has been assessed. Only after that time will the details become public and a summary of the complaint sent to the Member concerned and the Parish Clerk. The complaint itself will not be released. In rare circumstance, it may be deemed contrary to the public interest or prejudice any investigation to make the details public at this stage.

10.3 **Receipt of Notifications** – The notification to the Parish Council (and Member) is served only once stage (d) above is reached. The Parish Council will be advised at this stage if the ‘rare circumstances’ apply – i.e. confidentiality is to be retained. Parish Councils will also know if they need to make appropriate arrangements, between a Member and an employee, where the complaint has been made by the employee.

10.4 **Legal Issues** – The parish council needs to consider what it can lawfully do with any notifications it receives. There will be various legal obligations, both statutory and non-statutory, which will determine how the council can deal with them. These range from obligations under the general law, such as confidentiality, to the statutory obligations under the Human Rights Act 2000, Data Protection Act 1998 and Freedom of Information Act 2000. The Council has to comply also with statutory provisions regarding public access to information in agendas, minutes and meetings.

10.5 **Notification Procedures and Liaison** – It is recommended by the Standards Board for England that each parish council adopts procedures for notifications. This will make it clear from the onset how the council will deal with notifications. Any procedures should take into account the nature of the complaint and content of the notification.

It is recommended by the Standards Board that the following information should be set out in the procedures:

- Who should deal with and be informed of such notifications when they are received.
- Whether they should be included on a meeting agenda.
- If the notification is included as an agenda item, whether this should be dealt with in the public or confidential part of the meeting.

- The procedure should take into account who will deal with providing further evidence or information needed by the local Standards Committee in respect of a complaint.

10.6 Draft Policy:

1. Code of Conduct Complaint Notifications will be received by the Parish Clerk from the Monitoring Officer
2. If no further action is determined by the Local Assessment Sub Committee then the Notification is retained on file with no disclosure to other Members.
3. If there is to be a local investigation and 'rare circumstances' re confidentiality do not apply then reference to the complaint shall be reported to Council in Open Session.
4. If 'rare circumstances' re confidentiality do apply then the complaint shall be reported to Council in Closed Session.
5. The Parish Clerk shall provide on request further information to assist investigation unless the complaint is made by the Clerk, when the Deputy Clerk shall provide any further information to assist investigation.
6. In the event that both the Clerk and the Deputy Clerk are joint complainants then the Council Chairman or failing him(her) the Vice Chairman, shall provide any further information to assist investigation.
7. The nature of further information provided to assist an investigation shall remain confidential and not shared with councillors.
8. The final determination of an investigation will be reported to Council in Open Session in the same way that the local Standards Committee makes it public.

10.7 RECOMMENDATION:

Council is asked to adopt the Policy as set out in paragraph 10.6 of the report.

11. Consider COMMUNITY DAY: September 2009

11.1 This report is at the request of the Council Chairman, who would like to see a 'community day' held sometime during September 2009. It is acknowledged that, if approved, the organisation of the event needs to be started as soon as possible – possibly by a working group of Members and staff – as the summer break looms.

11.2 It is envisaged that such an event would promote community spirit, raise the profile of the Parish Council and give publicity for participating local groups and organisations. In order to encourage both outdoor as well as indoor activities it is felt that a suitable site is Holbrook Recreation Ground with the Barn for indoor stalls; the grassed square at the rear of the Barn for a refreshments tent (overflow stalls); the multi courts for possible mini sports competitions (tennis/football); the grassed area for demonstrations by, say, the Fire Service, Police, etc. Other static attractions could include a climbing wall (with safety instructor), Mobile skate park (available through Horsham District Council).

11.3 There is no budget for such an event but it could be financed from General Reserves. At this stage there is no indication of likely costs and therefore Members may wish to place a 'cap' of say £2,000.

11.4 Kingdom Faith Church organised a very successful 'Roffey Day' on 16th May this year which attracted 2,000 people and may be prepared to advise the Council on holding such an event.

11.5 RECOMMENDATION:

Members' views are sought on:

- (a) Agreement to holding a Community Day in September 2009 at Holbrook Recreation Ground
- (b) Establish a Working Group of Members and Staff to organise the event
- (c) Seek guidance from Kingdom Faith Church.
- (d) Approve financial costs are met from General Reserves, capped at £2,000

12. COMMUNICATIONS STRATEGY WORKING GROUP

12.1 Several Members have expressed concern that the Finance & Administration Committee (F & A) has had some very short meetings in the last year and as a result has dropped a meeting from 6 to 5 a year. In order to boost the business It has been suggested that the Communications Strategy Working Group should be disbanded and its responsibilities taken on by F & A. This change would have the added benefit of removing four meetings a year - from 50 currently to 46.

12.2 The expenditure relating to communications generally, sits with F & A currently. This includes the Council Newsletter, IT and the Website. Tasks recently completed by the Working Group include Members ID badges and the North Horsham Residents' Guide. The only item currently in progress through the Working Group is the updating of the Council Website using WordPress software and templates. Two Members serve on both F & A and the Working Group thus providing continuity. There is also a vacancy on F & A and one of the other two Working Group Members could take up that gap.

12.3 RECOMMENDATION:

Members are asked to approve:

- (a) The disbanding of the Communication Strategy Working Group and transfer its responsibilities to the Finance & Administration Committee and amend Standing Orders accordingly, and
- (b) Consider nominations to fill the vacancy on the Finance & Administration Committee.

13. PARISH PLAN UPDATE

13.1 The purpose of this report is to inform Members of those parts of the Parish Plan that have been progressed since the last Council meeting. Updates

continue to be advised in detail to individual Committees. There have been no major items completed since the last Council meeting of 14th May 2009.

13.2 RECOMMENDATION:

Members are asked to note the report.

14. To Approve ACCOUNTS FOR PAYMENT (Appendix I)

14.1 The schedule of accounts for payment will be tabled at the meeting as Appendix I.

14.2 RECOMMENDATION:

Council is asked to authorise the schedule of accounts for payment as contained in Appendix I.

15. REPORTS FROM REPRESENTATIVES ON OUTSIDE ORGANISATIONS

15.1 Oral reports shall be given on the following meetings:

- (a) **Horsham Association of Local Councils meeting of 19.05.09** – Cllrs Alan Britten and Ray Turner attended. A copy of the Minutes is available in the Parish Office.
- (b) **Horsham in Bloom meetings of 16.06.09**– Cllr Mrs Rogers attended.

16. DATE OF NEXT COUNCIL MEETING

The next meeting of the Council is on Thursday 3rd SEPTEMBER 2009 at 7.30pm.